



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

		<b>JILDS CALDWELL and BARBARA CALDWELL</b> , Parents and current Co-Conservators, are Petitioners and request that their granddaughter, <b>MALINDA WINTEMUTE</b> , be appointed as a Co-Conservator with them.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>Court Investigator advised rights on 11-15-13</b></u>  <b>1. Need video receipt per local rule 7.15.8.</b>	
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>	<b>Petitioners state</b> they were appointed as co-conservators of their daughter on 7-19-84 and Letters issued on 7-27-84 and the conservatorship has been ongoing since that time. Jilds Caldwell is now 85 and Barbara Caldwell is now 82 years old, and believe it is in the conservatee's best interest that their granddaughter, Malinda Wintemute, be appointed as co-conservator with them in order to provide continuity of care in the event of illness or death.		
✓	<b>Aff.Mail</b>			W
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
✓	<b>Conf. Screen</b>			
✓	<b>Letters</b>			
✓	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
✓	<b>CI Report</b>		<b>Court Investigator Charlotte Bien filed a report on 11-20-13.</b>	
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<b>Reviewed by:</b> skc	
			<b>Reviewed on:</b> 12-9-13	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 1 – Caldwell</b>	

<b>DOD: 4/18/2001</b>		<b>DIANE WHITAKER</b> , Administrator, is petitioner.  Accounting is waived.  I & A - \$75,000.00 POH - \$75,000.00  Administrator - waives  Attorney (statutory) - \$3,000.00  <b>Distribution, pursuant to Intestate succession is to:</b>  Phillip G. Marin Diane Whitaker Solomon Marin Gustavo Marin Thomas Marin and David Marin  Real property 1/6 interest each as tenants in common.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input checked="" type="checkbox"/>	<b>Inventory</b>			
<input checked="" type="checkbox"/>	<b>PTC</b>			
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			W/O
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			3/30/06
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input checked="" type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>	N/A		
			<b>Reviewed by: KT</b> <b>Reviewed on: 12/9/13</b> <b>Updates:</b> <b>Recommendation: SUBMITTED</b> <b>File 2 – Flowers-Marin</b>	

<b>Age: 94 years</b>		<b>PUBLIC GUARDIAN</b> , conservator, is petitioner.  <b>Petitioner states</b> the Court dispensed with accountings on 10/22/08 because the estate met all the requirements of Probate Code §2628(b).  The Conservatee is on Medi-Cal therefore he is only allowed to maintain assets of \$2,000.00 otherwise he will lose his benefit eligibility. His funds have built up to an amount that they must be spent down. The conservator and her attorney have provided services to the conservatee without receiving payment.  Petitioner requests fees for her services in the sum of <b>\$1,545.12</b> (per itemization and declaration for 9 staff hours @ \$76/hr. and 8.97 Deputy hours @ \$96/hr.)  Petitioner further requests payment for her attorney in the sum of <b>\$1,200.00</b> (8 hours @ \$150/her)  Due to the insufficiency of the estate, petitioner seeks to place a lien for any unpaid commissions and fees against the estate.	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>			W/
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
<b>Reviewed by: KT</b>				
<b>Reviewed on: 12/9/13</b>				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 3 – Bjork</b>				

**5**

Case No. 08CEPR00017

**Atty**

**Atty**

**(1) First Account and Status Report of Administrator, and (2) to set Aside Exempt Personal Property**

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<u>CONTINUED TO 02/03/14</u> Per request of Counsel
			Reviewed by: JF
			Reviewed on: 12/09/13
			Updates:
			Recommendation:
			File 5 – Dozier

(1) Third Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 2620; 2623; 2942]

Age: 80		PUBLIC GUARDIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 06/11/11 – 06/10/13	
		Accounting - \$128,501.14	
		Beginning POH - \$93,444.02	
		Ending POH - \$46,926.76	
Cont. from		Conservator - \$634.04 (5 staff hours @ \$76/hr. and 2.74 Deputy hours @ \$96/hr.)	
	Aff.Sub.Wit.	Attorney - \$1,250.00 (less than allowed per Local Rule)	
✓	Verified	Bond Fee - \$323.38 (ok)	
	Inventory	Petitioner prays for an Order:	
	PTC	1. Approving, allowing and settling the third account;	
	Not.Cred.	2. Authorizing the conservator and attorney fees and commissions; and	
✓	Notice of Hrg	3. Authorizing payment of the bond fee.	
✓	Aff.Mail w/	Court Investigator Jennifer Daniel filed a report on 02/19/13.	
	Aff.Pub.		Reviewed by: JF
	Sp.Ntc.		Reviewed on: 12/09/13
	Pers.Serv.		Updates:
	Conf. Screen		Recommendation:
	Letters		File 6 – Ashford
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	2620 n/a		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Atty Kruthers, Heather H. (for Public Administrator – Petitioner)

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 9202; 10800; 10810; 10951; 11600]

<b>DOD: 01/08/09</b>		<b>PUBLIC ADMINISTRATOR</b> , Successor Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 10/30/13</u></b>  1. The Public Administrator was appointed as successor administrator on 01/15/13 upon the resignation of the previous Administrator (James L. Elder). The Petition does not address statutory compensation to the previous administrator or his attorney. <b>Note:</b> The former administrator's attorney, Manuel Vierra, filed a Motion to be Relieved as Counsel that was granted on 12/11/12.
		Account period: <b>01/31/13 – 08/30/13</b>	
<b>Cont. from 103013</b>		Accounting - <b>\$145,037.86</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$139,323.45</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$26,802.27</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	(all cash)	
<input checked="" type="checkbox"/>	<b>PTC</b>	Administrator - <b>\$1,901.52</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Administrator x/o - <b>\$1,248.00</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	(for sale of real property and preparation of tax returns)	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Attorney - <b>\$1,901.52</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	(statutory)	
<input type="checkbox"/>	<b>Conf. Screen</b>	Bond Fee - <b>\$189.70</b> (ok)	
<input type="checkbox"/>	<b>Letters</b>   01/31/13	Costs - <b>\$486.00</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	(Certified copies and filing fees)	
<input type="checkbox"/>	<b>Objections</b>	<b>Distribution, pursuant to decedent's will, is to:</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	Fresno State University Foundation	
<input type="checkbox"/>	<b>CI Report</b>	- <b>\$21,075.53</b>	
<input checked="" type="checkbox"/>	<b>9202</b>		<b>Reviewed by:</b> JF
<input checked="" type="checkbox"/>	<b>Order</b>		<b>Reviewed on:</b> 12/09/13
<input type="checkbox"/>	<b>Aff. Posting</b>		<b>Updates:</b>
<input type="checkbox"/>	<b>Status Rpt</b>		<b>Recommendation:</b>
<input type="checkbox"/>	<b>UCCJEA</b>		<b>File 7 – Jaquay</b>
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

(1) First and Final Account and Report of Administrator and Petition for Its Settlement, (2) for Allowance of Compensation to Administrator, Guardian Ad Litem, and Attorneys for Ordinary and Extraordinary Services and (3) for Final Distribution [Prob. C. 10810, 10811, 10951 & 11641]

<b>DOD: 7-1-11</b>		<b>DENNIS A. MAXWELL</b> , Administrator with Will Annexed with Full IAEA and bond of \$11,460,000.00, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Account period: 7-1-11 through 8-31-13</b>	<b>1. Need revised order for the following reasons and pursuant to Local Rules 7.6.1.A., 7.6.1.F:</b>  - Some portion of the contents of the order must appear on the page upon which the judge's signature is affixed.  - Petitioner does not indicate the amount of cash for distribution to the trust; however, there appears to be excess cash after payment of the requested fees/costs and distribution to Ms. Valadao. Therefore, the revised order should indicate the dollar amount of monetary distribution to the trust pursuant to Local Rule 7.6.1.A.  - The revised order should revise the language in Paragraph 10 to reflect that the surety on the bond will be discharged upon the filing of the mandatory Judicial Council form DE-295 (Ex Parte Petition for Final Discharge and Order).  - The proposed order distributes to Petitioner as trustee of "the Marvin Coit Trust," which is defined as the Marvin M. Coit 1981 Revocable Living Trust as amended by the 2005 Amendment and as reformed by this Court's Order of 10-1-13 (the "Marvin Coit Trust") in the Petition, but not defined in the order itself. Due to the complexity of this case and the various documents in existence, the order should be specific as to the trust receiving distribution.  <b>2. Need declaration of trustee pursuant to Local Rule 7.12.5.</b>
		Accounting: \$20,247,719.66	
		Beginning POH: \$12,788,729.33	
		Ending POH: \$13,890,538.81 (\$2,168,462.21 is cash)	
		<b>Administrator (Statutory): \$95,900.00</b> (Less than statutory, which would be \$163,777.80)	
		<b>Administrator (Extraordinary): \$22,900.00</b> (compensation for tax services, per declaration)	
		<b>Administrator Costs: \$1,550.00</b> (chartered plane to attend a hearing)	
		<b>Attorney (Statutory): \$114,476.25</b> (for statutory and extraordinary compensation, per declaration, which is less than the statutory amount, which would be \$163,777.80)	
		<b>Costs (Reimburse to Attorney): \$1,777.00</b> (filing, copy of court order, certified copies, publication, copies of recorded documents)	
		<b>Additional Costs: \$6,106.66</b> (per Declaration of Marcus D. Magness in Support of Ordinary and Extraordinary Compensation)	
		<b>Attorney (Wright &amp; Johnson): \$30,252.50</b> (\$30,1923.50 as compensation for legal services to Bruce Bickel, guardian ad litem for Michael, and \$60.00 to reimburse costs advanced on behalf of Michael)	
		<b>Bruce Bickel: \$8,804.17</b> (\$8,698.00 for services as guardian ad litem for Michael and \$106.17 for costs advanced on behalf of Michael)	
		<b>See additional pages for distribution.</b>	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 12-10-13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 8 – Coit</b>



## Page 2

**Proposed Distribution pursuant to Decedent's will dated 10-1-81 as amended by codicil 1-28-86 and pursuant to Settlement Agreement as confirmed 10-1-13:**

Dayna Valadao: Cash of \$150,000.00

Dennis Maxwell, as Trustee of the Marvin Coit Trust (Marvin M. Coit 1981 Revocable Living Trust, as amended by the 2005 Amendment and as reformed by this Court's order of 10-1-13 (the "Marvin Coit Trust")):

- Specified shares of certain securities (as identified in petition);
- 2013 crop;
- Timeshare account no. xxx366
- Promissory Note dated 4-20-06 as modified 5-10-11;
- Main Ranch consisting of certain real property identified in petition;
- Hill Ranch consisting of certain real property identified in petition;
- Mendota Ranch consisting of certain real property identified in petition;
- Open Ground consisting of certain real property identified in petition;
- An undivided 1/3 interest in real property in Santa Clara County as identified in the petition;
- 

**Note:** This petition filed by the Administrator does not request to pay fees for services rendered by Attorney David N. Knudson, attorney for Lucia Kennedy (mother of Michael Coit). On 11-19-13, Mr. Knudson filed "Declaration of David N. Knudson in Support of Request for Approval of Payment of Attorney's Fees for Services Rendered to Court Appointed Guardian Ad Litem.

The Declaration states that he rendered services to Ms. Kennedy, including in her capacity as guardian ad litem for Michael, and provides details of such representation throughout the estate litigation. Mr. Knudson, in his declaration, requests fees and costs totaling \$20,506.25. Mr. Knudson also filed a Notice of Hearing indicating this hearing date and service on interested persons.

**However, Examiner notes that the document filed was a Declaration, not a Petition, and therefore was not charged the filing fee of \$435 or calendared to be heard. Although Mr. Knudson filed a "Notice of Hearing and served interested persons for this hearing date, which was already calendared for the accounting, the Declaration requesting fees is not properly before the Court at this time. If this request is to be considered, need filing fee of \$435.00.**

**Note:** Supplement to Petition in response to the Declaration states the estate should not pay fees and costs incurred by Ms. Kennedy, and if fees are approved, they should be paid from Michael's share, and should be reduced for the reasons stated.

**However, as stated above, Examiner notes that Mr. Knudson's request for fees does not appear to be properly before the Court at this time, and therefore, the declaration and supplement filed in response have not been reviewed in detail by Examiner at this time for these Examiner Notes.**

Atty Matsumoto, Russell D. (for Robert E. Dolan – Executor/Petitioner)

(1) First and Final Account and Report of Administration of Estate by Robert E. Dolan as Executor and Petition for Its Settlement, (2) for Approval of Statutory Compensation to Personal Representative and Attorneys' Fees for Ordinary Services and for (3) Final Distribution

<b>DOD: 07/26/11</b>		<b>ROBERT E. DOLAN</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Notice of Hearing to: a. Kimberly Burrus b. Alexandria Perry c. James Burnham, Jr. d. Alyssa Burnham e. Robert Hayes f. Ashley Halbrook were each sent in "care of" another person. Pursuant to CA Rules of Court 7.51 (a) – notice mailed to a person in care of another person is insufficient. 2. Neither the Petition nor Order states the dollar amount to be distributed. Pursuant to Local Rule 7.6.1A – All orders or decrees in probate matters must be complete in themselves. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of persons, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. <u>Monetary distributions must be stated in dollars</u> , and not as a percentage of the estate. Need revised Order.
		Account period: 07/26/11 – 08/28/13	
		Accounting - \$340,896.62	
		Beginning POH - \$310,125.00	
		Ending POH - \$292,981.04	
<b>Cont. from</b>		(all cash)	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Executor - \$9,577.93	
<input checked="" type="checkbox"/>	<b>Verified</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney - \$9,577.93	
<input checked="" type="checkbox"/>	<b>PTC</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Closing - \$2,500.00	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Robert E. Dolan, as trustee of the Jack Burrus Trust - Not stated	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b> 03/08/12		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 12/09/13
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 9 – Burrus</b>

**(1) First and Final Account and Report of Executor and Petition for Settlement, (2)  
Allowance of Commissions and Fees and (3) Final Distribution**

<b>DOD: 2/5/13</b>		<b>SADIE HODGE</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 2/5/13-9/30/13	
		Accounting - <b>\$209,802.97</b>	
<b>Cont. from</b>		Beginning POH - <b>\$167,710.37</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Ending POH - <b>\$114,428.97</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Executor - <b>\$7,196.00</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$7,196.00</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	(statutory)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Costs - <b>\$672.00</b> (filing fees, certified copies, publication)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Closing - <b>\$500.00</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	<b>Distribution, pursuant to Decedent's Will and Stipulation, is to:</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	Sadie Hodge - 1989 Mercedes	
<input checked="" type="checkbox"/>	<b>Letters</b>	Raymond Hodge - 2002 Mercedes	
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>	Robert Adams - \$22,896.41	
<input type="checkbox"/>	<b>Objections</b>	Mary McBride - \$65,968.04	
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 12/10/13</b>
			<b>Updates:</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 11 – Hodge</b>

<b>DOD: 12/09/12</b>		<b>RICHARD RAMOS</b> , son/named co-Executor without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 11/18/13</u></b>	
		Full IAEA – ok	As of 12/09/13, the following notes remain:	
<b>Cont. from 100713, 111813</b>		Will dated 10/11/12	<ol style="list-style-type: none"> <li>The Petition is marked at item 5(a)(8) that the decedent was not survived by issue of a pre-deceased child; however, decedent's will indicates that she had a pre-deceased child (Judith Martinez) who had issue (April Martinez-Gann &amp; Adam Martinez). Judith Martinez is not listed in item 8 of the Petition. Need date of death of Judith Martinez pursuant to Local Rule 7.1.1D.</li> <li>Predeceased spouse is not named in item 8 of the Petition. Need name and date of death of predeceased spouse pursuant to Local Rule 7.1.1D.</li> <li>Decedent's Will nominates Petitioner to serve as Co-Executor along with James J. Melgoza and Monet J. Melgoza Cornelison. The Petition indicates that Richard Ramos is seeking to be appointed as the sole Executor, therefore need declinations to serve from James J. Melgoza and Monet J. Melgoza Cornelison or revised Petition seeking appointment of all three persons as Co-Executors.</li> <li>Need the relationships to decedent of each person listed in item 8 of the Petition. <b>Note:</b> Petitioner's name and relationship should also be listed in item 8 of the Petition.</li> </ol>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	s/p		<p><b>Estimated Value of the Estate:</b></p> <p>Personal property - \$ 11,500.00</p> <p>Real property - 142,328.00</p> <p><b>Total - \$153,828.00</b></p> <p>Probate referee: <b>STEVEN DIEBERT</b></p> <p><b>Note:</b> If the Petition is granted, status hearings will be set as follows:</p> <ol style="list-style-type: none"> <li><b>Friday, 05/16/14 at 9:00 am in Dept. 303</b> for filing of the Inventory &amp; Appraisal;</li> <li><b>Friday, 02/13/15 at 9:00 am in Dept. 303</b> for filing of the Accounting/Report of Executor and Petition for Final Distribution</li> </ol> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.</p>
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by:</b> JF	
			<b>Reviewed on:</b> 12/09/13	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 12 - Melgoza</b>	

Atty Hemb, Susan A., of Hemb Law Group (for Petitioners Kathleen Richards and Thierry Richards)  
 Atty Rusca, Rodney, of Rusca & Rusca (for Objector Brianna Fifield-Greer, mother)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4 years		TEMPORARY EXPIRES 1/6/2014		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Court Investigator to provide CI Report and Clearances.</b>  <b>Note:</b> State of Texas, County of Bastrop Court, issued an Emergency Temporary Injunction Order, which has been registered as an out-of-state custody order in Fresno Superior Court Family Law Case 10CEFL05473, and the mother's objection is set for hearing on <b>1/6/2014 at 9:00 AM in Department 204</b> ; hence the basis for the expiration date of the <i>Letters of Temporary Guardianship</i> issued to Petitioners.  1. Need Guardianship Petition – Child Information Attachment (mandatory-use form GC-210(CA)) for Athena Celeste Fifield-Rushing, which will provide the names of the child's paternal grandparents and maternal grandfather. 2. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, pursuant to Probate Code § 1511(b)(1) for: <ul style="list-style-type: none"> <li>• Paternal grandparents;</li> <li>• Maternal grandfather.</li> </ul> 3. Need proposed order. 4. Need proposed letters.
		<b>KATHLEEN RICHARDS</b> , maternal grandmother, and <b>THIERRY RICHARDS</b> , step-grandfather, are Petitioners.		
Cont. from		Father: <b>CHRISTOPHER RUSHING</b> ; personally served 10/22/2013.  Mother: <b>BRIANNA F. FIFIELD-GREER</b> ; personally served 10/18/2013.  Paternal grandfather: Not provided Paternal grandmother: Not provided  Maternal grandfather: Not provided		
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	Ch. Attach.	X		
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
	Aff. Posting			
	Duties/Supp			
✓	Objections			
	Video Receipt			
	CI Report	X		
	Clearances	X		
	Order	X		
	Letters	X		
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<b>Petitioners state:</b> <ul style="list-style-type: none"> <li>• The child is in need of care and support because the child was subjected to mistreatment, neglect and abuse while in the care of her parents;</li> <li>• The child has resided with them in Texas since birth, with the mother's permission (copy of mother's written permission attached.)</li> <li>• The child's mother, who suffers from severe depression and has a history of causing self-inflicted injury, removed the child from Petitioners' care without any notice to them, and while the child was in the mother's custody, the mother left the child in the presence of the child's father, who has a severe psychological disorder and documented instances of domestic violence;</li> <li>• Petitioners filed for in their home state of Texas, and were granted on 8/29/2013, appointment as emergency joint managing conservators of the child by Bastrop County Court in Texas (copy of TX order attached as Exhibit 1);  <b>~Please see additional page~</b> </li> </ul>				
<b>Reviewed by:</b> LEG				
<b>Reviewed on:</b> 12/10/13				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 13 – Fifield-Rushing</b>				

**Petitioners state, continued:**

- Athena's mother, Brianna, has in the past expressed suicidal intentions to her natural father, who lives in California, and Brianna has also indicated to her natural mother, Petitioner Kathleen Richards, that she is severely depressed and in a despondent state; Brianna has a history of causing self-inflicted injury and is known to self-medicate in dangerous excess; Brianna is not in a stable mental or emotional state to properly care for the minor child, and she presents an immediate threat to the health and well-being of Athena;
- For example, on numerous occasions the child's mother has failed to provide Athena with the medication prescribed to the child, thereby subjecting her to further infection and/or disease;
- Brianna has also does the child with prescriptions medications which were not prescribed to the child, such as codeine cough syrup, to induce sleep without the advice of a physician; such medications are not intended for young children and could be damaging to the child's health;
- Brianna has become increasingly physical and violent with Athena, and was observed forcefully restraining the child for the purposes of forcefully dosing her with medication;
- A Police Report (CPD #13-8553) was made on 6/14/2013 by the Clovis Police Department because Athena demonstrated deep, lasting finger nail marks and bruising on her left thigh;
- Brianna has a new husband, **IVAN GREER** of Smithville, Texas, who has a history of erratic and violent behavior; before they were married, the Smithville Police Department was called to investigate a domestic violence incident, leading to a criminal complaint being filed against Ivan Greer before the couple moved to California.

**Note:** Minute Order dated 10/24/2013 from the hearing on the temporary petition states: Mr. [Thierry] Richards [proposed guardian] is appearing via CourtCall. The Court is informed that the child is in Texas. Ms. Hemb informs the Court that a motion for joinder was granted this week. The Court believes that there is a sufficient basis to grant the temporary guardianship based on the best interest of the minor. The Court grants the temporary. The temporary shall remain in effect until 1/6/2014 or until an order contrary to this is rendered in the Fresno County Family Law Court [Case10CEFL05473], at which time it shall supersede this Court's order. The Court indicates to the parties that it is making no judgment, and is merely maintaining the status quo in granting the temporary. Ms. Hemb is directed to prepare the order. The general hearing remains set for 12/11/2013.

**Note:** Court records show the last entry in Family Law Case10CEFL05473 as follows: Minute Order (Judge Nystrom-Geist) dated 12/9/2013 states: "Attorney Hemb states the matter is not yet ready to be set for trial. Attorney Hemb states she will be filing motions. Court will set the matter out to allow the motions to be heard. Court will set further trial setting."

**Objection to Guardianship Petition filed by Attorney Rodney Rusca on behalf of BRIANNA FIFIELD-GREER, mother, on 10/23/2013 states:**

- The [guardianship] action is not necessary as there is a Family Law action, Case10CEFL05473;
- Brianna Fifield-Greer will be filing the attached Request for Order of an emergency hearing on 10/24/2013, for return of Athena;
- Brianna Fifield-Greer has sole legal and physical custody of Athena, but she is not able to have law enforcement assist her in recovering Athena because of the emergency protective orders obtained in the State of Texas;
- Thierry Richards abducted Athena on or around 6/23/2013, and based upon false allegations, was able to get a temporary order from the Texas Court;
- Objector requests that prior to this action being dismissed, the Court order the return of Athena, and once a hearing has been set in Family Law Case10CEFL05473, this action be dismissed.

**~Please see additional page~**

**Note for background:**

***Declaration in Support of Request for Emergency Temporary Guardianship of Minor Child filed Attorney Susan Hemb on 10/22/2013 states:***

- The mother of the minor and the minor have both resided continuously with the Petitioners since the birth of the child;
- In Fresno County Superior Court Family Law Case 10CEFL05473, the mother was granted sole legal and physical custody of the child, and was granted permission to move to the State of Texas via a move-away order by the Family Law Court; since May 2012, the child has continuously resided with the Petitioners and the mother in the State of Texas, with the exception of 12 days in June 2013;
- Fresno County Superior Court Family Law division granted Petitioner's *Motion and Declaration for Joinder* in Family Law Case 10CEFL05473 on 10/21/2013, which allows the Petitioners the right to request an emergency Temporary Guardianship until the issue as to the change of venue, which will include the jurisdictional issue, can be heard by the Fresno County Superior Court Family Law division.
- State of Texas, County of Bastrop Court issued an Emergency Temporary Injunction Order, which has been properly registered as an out-of-state custody order in Fresno Superior Court Family Law Case 10CEFL05473, to which the mother objected, and the objection is set for hearing on **1/6/2014 at 9:00 AM in Department 204;**
- There is an issue as to which state has jurisdiction over the child based upon the continuous residence of the child in the State of Texas for a period of longer than 6 months, such that all relevant facts pertaining to care and upbringing of the child are no longer in the State of California.

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 05/13/2012</b>		<b>JESSI ELAINE ELLIS</b> , surviving spouse/named executor without bond, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		Full IAEA – o.k.	
	<b>Aff.Sub.Wit.</b> s/p		
✓	<b>Verified</b>	Will dated: 02/25/2010	
	<b>Inventory</b>		
	<b>PTC</b>	Residence: Clovis	
	<b>Not.Cred.</b>	Publication: The Business Journal	
✓	<b>Notice of Hrg</b> w/		
✓	<b>Aff.Mail</b>	<b>Estimated value of the Estate:</b>	
		Personal property - \$255,000.00	
✓	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	Probate Referee: Rick Smith	
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

  

<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 12/09/2013
<b>Updates:</b>
<b>Recommendation:</b> Submitted
<b>File 14 – Ellis</b>



**Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)**

<b>Amari Age: 13</b>		<p align="center"><b><u>GENERAL HEARING 01/28/2014</u></b></p> <p><b>T.J. LEVAOMANA</b>, maternal uncle, and <b>TREASURE SAIHO</b>, fiancé of maternal uncle, are petitioners.</p> <p>Father: <b>JASON LAUPULE VALAVALA</b></p> <p>Mother: <b>AMY VALAVALA</b></p> <p>Paternal Grandparents: Unknown</p> <p>Maternal Grandfather: Unknown Maternal Grandmother: Punalagi R. Maga, Deceased</p> <p><b>Petitioner states:</b> Amari is in danger of committing suicide due to the way her mom treats and neglects her. Petitioner's state that the minor, Amari, has attempted suicide on three occasions but the mother does not seek help for the child. It is stated that Amari is fearful that the mother's boyfriend will rape her as he has walked in on her while she was unclothed. The minors have been missing school because of mother's carelessness and neglect. The mother goes to work without making sure the children are safe, she doesn't cook for them, she leaves them to ask neighbors for food, she neglects medical needs, she locks them out of the house, performs sex acts with random men in front of the children, she also gives away the food stamps intended for the children. The children were residing with the petitioners since March 2013 until recently when the mother took the children from the petitioner's care and placed them with another aunt. The children have missed many days of school since they have not been the petitioner's care. Petitioner's believe the mother's actions do not show that she wants the responsibility of caring for the children.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petitioner's, T.J. Levaomana, Fee Waiver was denied on 11/27/2013. Filing fee of \$285 is due (\$60 for temporary and \$225 for the general petition).</li> <li>Need Notice of Hearing.</li> <li>Need proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Temporary Guardianship Petition</i> at least 5 Court days before the hearing <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:               <ol style="list-style-type: none"> <li>Jason Laupule Valavala (father)</li> <li>Amy Valavala (mother)</li> <li>Amari Valavala (Minor)</li> </ol> </li> <li>Temporary Petition appears to be a copy. Need Original.</li> </ol>	
<b>Jabez Age: 7</b>				
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
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<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			